

p.m. announced the Speaker will recognize Members for motions to suspend the rules under clause 2 of rule XXVII, with respect to the following bills and resolutions that may be considered today: H.R. 2977, National Academy of Sciences and National Academy of Public Administration Public Disclosure Requirements; S.1378, U.S. Mail Use for Missing Children; S. Con. Res. 61, Printing of "Our Flag"; S. Con. Res. 62, Printing of "How Our Laws Are Made"; S. Con. Res. 63, Printing of "The Constitution of the United States of America"; H.R. 2979, Library of Congress Land Acquisition; H.R. 764, Bankruptcy Amendments of 1997; H.R. 2440, Title 9, U.S. Code, Section 10 Amendments; H.J. Res. 95, Chickasaw Trail Economic Development Compact; H.J. Res. 96, Washington Metropolitan Area Transit Regulation Compact; S. 1079, Ft. Berthold Indiana Reservation Mineral Leasing; and H.R. 1604, Ottawa and Chippewa Indians Judgment Funds.

¶130.45 PILOT RECORDS IMPROVEMENT

Mr. DUNCAN moved to suspend the rules and pass the bill (H.R. 2626) to make clarifications to the Pilot Records Improvement Act of 1996, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. CALLAHAN, recognized Mr. DUNCAN and Mr. LIPINSKI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CALLAHAN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶130.46 SUSPENSION OF THE RULES NOTICE

Mr. LATOURETTE, pursuant to section 2 of House Resolution 305, at 11:00 p.m. announced the Speaker will recognize Members for motions to suspend the rules under clause 2 of rule XXVII, with respect to the following bill that may be considered today: H.R. 765, Shackelford Banks Wild Horses Protection Act.

¶130.47 FAMILIES AFFECTED BY FOREIGN AIR CARRIER ACCIDENTS

Mr. DUNCAN moved to suspend the rules and pass the bill (H.R. 2476) to amend title 49, United States Code, to require the National Transportation Safety Board and individual foreign air carriers to address the needs of families of passengers involved in aircraft accidents involving foreign air carriers; as amended.

The SPEAKER pro tempore, Mr. CALLAHAN, recognized Mr. DUNCAN and Mr. LIPINSKI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CALLAHAN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶130.48 EXPORT-IMPORT BANK REAUTHORIZATION

Mr. CASTLE moved to suspend the rules and agree to the following conference report (Rept. No. 105-392):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1026), to reauthorize the Export-Import Bank of the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Export-Import Bank Reauthorization Act of 1997".

(b) TABLE OF CONTENTS.—

- Sec. 1. Short title; table of contents.
- Sec. 2. Extension of authority.
- Sec. 3. Tied aid credit fund authority.
- Sec. 4. Extension of authority to provide financing for the export of non-lethal defense articles or services the primary end use of which will be for civilian purposes.
- Sec. 5. Clarification of procedures for denying credit based on the national interest.
- Sec. 6. Administrative Counsel.
- Sec. 7. Advisory Committee for sub-Saharan Africa.
- Sec. 8. Increase in labor representation on the Advisory Committee of the Export-Import Bank.
- Sec. 9. Outreach to companies.
- Sec. 10. Clarification of the objectives of the Export-Import Bank.
- Sec. 11. Including child labor as a criterion for denying credit based on the national interest.
- Sec. 12. Prohibition relating to Russian transfers of certain missiles to the People's Republic of China.

SEC. 2. EXTENSION OF AUTHORITY.

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking "until" and all that follows through the end period and inserting "until the close of business on September 30, 2001."

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on September 30, 1997.

SEC. 3. TIED AID CREDIT FUND AUTHORITY.

(a) EXPENDITURES FROM FUND.—Section 10(c)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i-3(c)(2)) is amended by striking "through" and all that follows through "1997".

(b) AUTHORIZATION.—Section 10(e) of such Act (12 U.S.C. 635i-3(e)) is amended by striking the first sentence and inserting the following: "There are authorized to be appropriated to the Fund such sums as may be necessary to carry out the purposes of this section."

SEC. 4. EXTENSION OF AUTHORITY TO PROVIDE FINANCING FOR THE EXPORT OF NONLETHAL DEFENSE ARTICLES OR SERVICES THE PRIMARY END USE OF WHICH WILL BE FOR CIVILIAN PURPOSES.

Section 1(c) of Public Law 103-428 (12 U.S.C. 635 note; 108 Stat. 4376) is amended by striking "1997" and inserting "2001".

SEC. 5. CLARIFICATION OF PROCEDURES FOR DENYING CREDIT BASED ON THE NATIONAL INTEREST.

Section 2(b)(1)(B) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(B)) is amended—

(1) in the last sentence, by inserting "after consultation with the Committee on Banking and Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate," after "President"; and

(2) by adding at the end the following: "Each such determination shall be delivered in writing to the President of the Bank, shall state that the determination is made pursuant to this section, and shall specify the applications or categories of applications for credit which should be denied by the Bank in furtherance of the national interest."

SEC. 6. ADMINISTRATIVE COUNSEL.

Section 3(e) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(e)) is amended—

(1) by inserting "(1)" after "(e)"; and

(2) by adding at the end the following: "(2) The General Counsel of the Bank shall ensure that the directors, officers, and employees of the Bank have available appropriate legal counsel for advice on, and oversight of, issues relating to personnel matters and other administrative law matters by designating an attorney to serve as Assistant General Counsel for Administration, whose duties, under the supervision of the General Counsel, shall be concerned solely or primarily with such issues."

SEC. 7. ADVISORY COMMITTEE FOR SUB-SAHARAN AFRICA.

(a) IN GENERAL.—Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended by inserting after paragraph (8) the following:

"(9)(A) The Board of Directors of the Bank shall take prompt measures, consistent with the credit standards otherwise required by law, to promote the expansion of the Bank's financial commitments in sub-Saharan Africa under the loan, guarantee, and insurance programs of the Bank.

"(B)(i) The Board of Directors shall establish and use an advisory committee to advise the Board of Directors on the development and implementation of policies and programs designed to support the expansion described in subparagraph (A).

"(ii) The advisory committee shall make recommendations to the Board of Directors on how the Bank can facilitate greater support by United States commercial banks for trade with sub-Saharan Africa.

"(iii) The advisory committee shall terminate 4 years after the date of enactment of this subparagraph."

(b) REPORTS TO CONGRESS.—Within 6 months after the date of enactment of this Act, and annually for each of the 4 years thereafter, the Board of Directors of the Ex-

port-Import Bank of the United States shall submit to Congress a report on the steps that the Board has taken to implement section 2(b)(9)(B) of the Export-Import Bank Act of 1945 and any recommendations of the advisory committee established pursuant to such section.

SEC. 8. INCREASE IN LABOR REPRESENTATION ON THE ADVISORY COMMITTEE OF THE EXPORT-IMPORT BANK.

Section 3(d)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(d)(2)) is amended—

(1) by inserting "(A)" after "(2)"; and

(2) by adding at the end the following:

"(B) Not less than 2 members appointed to the Advisory Committee shall be representative of the labor community, except that no 2 representatives of the labor community shall be selected from the same labor union."

SEC. 9. OUTREACH TO COMPANIES.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by adding at the end the following:

"(I) The President of the Bank shall undertake efforts to enhance the Bank's capacity to provide information about the Bank's programs to small and rural companies which have not previously participated in the Bank's programs. Not later than 1 year after the date of enactment of this subparagraph, the President of the Bank shall submit to Congress a report on the activities undertaken pursuant to this subparagraph."

SEC. 10. CLARIFICATION OF THE OBJECTIVES OF THE EXPORT-IMPORT BANK.

Section 2(b)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(A)) is amended in the first sentence by striking "real income" and all that follows to the end period and inserting: "real income, a commitment to reinvestment and job creation, and the increased development of the productive resources of the United States".

SEC. 11. INCLUDING CHILD LABOR AS A CRITERION FOR DENYING CREDIT BASED ON THE NATIONAL INTEREST.

Section 2(b)(1)(B) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(B)), as amended by section 5, is amended in the next to the last sentence by inserting "(including child labor)" after "human rights".

SEC. 12. PROHIBITION RELATING TO RUSSIAN TRANSFERS OF CERTAIN MISSILES TO THE PEOPLE'S REPUBLIC OF CHINA.

Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended by adding at the end the following:

"(12) PROHIBITION RELATING TO RUSSIAN TRANSFERS OF CERTAIN MISSILE SYSTEMS.—If the President of the United States determines that the military or Government of the Russian Federation has transferred or delivered to the People's Republic of China an SS-N-22 missile system and that the transfer or delivery represents a significant and imminent threat to the security of the United States, the President of the United States shall notify the Bank of the transfer or delivery as soon as practicable. Upon receipt of the notice and if so directed by the President of the United States, the Board of Directors of the Bank shall not give approval to guarantee, insure, extend credit, or participate in the extension of credit in connection with the purchase of any good or service by the military or Government of the Russian Federation."

And the House agrees to the same.

JAMES A. LEACH,
MICHAEL N. CASTLE,
DOUGLAS BEREUTER,
JOHN J. LAFALCE,
FLOYD H. FLAKE,

Managers on the Part of the House.

ALFONSE D'AMATO,

ROD GRAMS,
CHUCK HAGEL,
PAUL SARBANES,
CAROL MOSELY-BRAUN,

Managers on the Part of the Senate.

The SPEAKER pro tempore, Mr. CALLAHAN, recognized Mr. CASTLE and Mr. FLAKE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said conference report?

The SPEAKER pro tempore, Mr. EVERETT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said conference report was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered. That the Clerk notify the Senate thereof.

¶130.49 EPCA PROGRAMS EXTENSIONS

Mr. DAN SCHAEFER of Colorado moved to suspend the rules and agree to the following resolution (H. Res. 317):

Resolved, That, upon the adoption of this resolution, the bill H.R. 2472, to extend certain programs under the Energy Policy and Conservation Act, be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendment to the text of the bill be, and the same is hereby, agreed to with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate, insert the following:

SECTION 1. ENERGY POLICY AND CONSERVATION ACT AMENDMENTS.

The Energy Policy and Conservation Act is amended—

(1) in section 166 (42 U.S.C. 6246) by striking "1997" and inserting in lieu thereof "1998";

(2) in section 181 (42 U.S.C. 6251) by striking "September 30, 1997" both places it appears and inserting in lieu thereof "September 1, 1998"; and

(3) in section 281 (42 U.S.C. 6285) by striking "September 30, 1997" both places it appears and inserting in lieu thereof "September 1, 1998".

The SPEAKER pro tempore, Mr. EVERETT, recognized Mr. DAN SCHAEFER of Colorado and Mr. HALL of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. EVERETT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered. That the Clerk notify the Senate thereof.

¶130.50 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1189. An Act to increase the criminal penalties for assaulting or threatening Federal judges, their family members, and other public servants, and for other purposes.

S. 1228. An Act to provide for a 10-year circulating commemorative coin program to commemorate each of the 50 States, and for other purposes.

S. 1507. An Act to amend the National Defense Authorization Act for Fiscal Year 1998 to make certain technical corrections.

¶130.51 PROVIDING FOR THE CONSIDERATION OF S. 738

Mr. DIAZ-BALART, by direction of the Committee on Rules, reported (Rept. No. 105-400) the resolution (H. Res. 319) providing for consideration of the bill of the Senate (S. 738) to reform the statutes relating to Amtrak, to authorize appropriations for Amtrak, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶130.52 IMMIGRANT ENTRY-EXIT CONTROL SYSTEM

Mr. SMITH of Texas moved to suspend the rules and pass the bill (H.R. 2920) to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to modify the requirements for implementation of an entry-exit control system.

The SPEAKER pro tempore, Mr. EVERETT, recognized Mr. SMITH of Texas and Mr. CONYERS, each for 20 minutes.

**MONDAY, NOVEMBER 10
(LEGISLATIVE DAY OF NOVEMBER
9), 1997**

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WATT of North Carolina objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 325
Nays 90

¶130.53 [Roll No. 627]
YEAS—325

Ackerman	Baker	Bartlett
Aderholt	Baldacci	Barton
Allen	Ballenger	Bass
Andrews	Barcia	Bateman
Archer	Barr	Bereuter
Armey	Barrett (NE)	Berman
Bachus	Barrett (WI)	Bilirakis